



The Journal OF THE *House of Representatives*

Number 29

Tuesday, April 13, 2010

The House was called to order by the Speaker at 1:00 p.m.

Prayer

The following prayer was offered by the Reverend Julius Harris of New Jerusalem Missionary Baptist Church of Havana, upon invitation of Rep. A. Williams:

Our Father in heaven, we thank You for Your grace, Your goodness, and Your mercy. For this is the day You've made, and we shall rejoice and be glad in it. Thank You for being Jehovah Jireh, the Lord God, our Provider. Father, we ask Your blessing upon each House member, their families, and their staff. We seek Your guidance, direction, and Your leadership. We seek Your wisdom for the serious issues to be addressed. Let us strive earnestly for the spirit of democracy. We pray for peace to our cities, prosperity to our economy, hope to our youth, stability to our government, honor to our past, and respect to our future. Let us be reminded of Your words: That it is more blessed to give than to receive. I ask this in Jesus' name. Amen.

Moments of Silence

At the request of Rep. Taylor, the House observed a moment of silence in memory of the Mayor of South Daytona Beach, Blaine O'Neal. Mayor O'Neal, 43, died unexpectedly on April 9.

At the request of Rep. Rader, the House observed a moment of silence in remembrance of the victims of the Holocaust, in honor of Yom HaShoah.

The following members were recorded present:

Session Vote Sequence: 770

Speaker Cretul in the Chair.

Abruzzo	Coley	Gibbons	Kreegel
Adams	Cretul	Glorioso	Kriseman
Adkins	Crisafulli	Gonzalez	Legg
Anderson	Cruz	Grady	Llorente
Bembry	Culp	Grimsley	Long
Bernard	Domino	Hasner	Lopez-Cantera
Bogdanoff	Dorworth	Hays	Mayfield
Boyd	Drake	Heller	McBurney
Brandenburg	Eisnaugle	Holder	McKeel
Braynon	Evers	Homan	Murzin
Brisé	Fetterman	Hooper	Nehr
Bullard	Fitzgerald	Horner	Nelson
Burgin	Flores	Hudson	O'Toole
Bush	Ford	Hukill	Pafford
Cannon	Fresen	Jenne	Patronis
Carroll	Frishe	Jones	Patterson
Chestnut	Galvano	Kelly	Plakon
Clarke-Reed	Garcia	Kiar	Planas

Poppell	Renuart	Schenck	Tobia
Porth	Rivera	Skidmore	Troutman
Precourt	Robaina	Snyder	Van Zant
Proctor	Roberson, K.	Soto	Waldman
Rader	Roberson, Y.	Stargel	Weatherford
Randolph	Rogers	Steinberg	Weinstein
Ray	Rouson	Taylor	Williams, A.
Reagan	Sachs	Thompson, G.	Williams, T.
Reed	Sands	Thompson, N.	Wood
Rehwinkel	Vasilinda	Thurston	Workman

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

Pledge

The members, led by the following, pledged allegiance to the Flag: Anderson Brooks of Tampa at the invitation of the Speaker pro tempore; Edgar Carrero of Miami Lakes at the invitation of Rep. Bovo; Logan Hajdukiewicz of Tallahassee at the invitation of Rep. Schwartz; Sara Henley of Tallahassee at the invitation of Rep. Evers; and Katherine Kincaid of Saint Johns at the invitation of Rep. Weinstein.

House Physician

The Speaker introduced Dr. Nicole Sirchio of Springhill, who served in the Clinic today upon invitation of Rep. Schenck.

Correction of the *Journal*

The *Journals* of April 8, April 9, and April 12 were corrected and approved as corrected.

Reports of Standing Councils and Committees

Reports of the Rules & Calendar Council

The Honorable Larry Cretul April 8, 2010
Speaker, House of Representatives

Dear Mr. Speaker:

Your Rules & Calendar Council herewith submits the Special Order for Tuesday, April 13, 2010. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

I. Consideration of the following bills:

CS/CS/HB 69 - General Government Policy Council, Agriculture & Natural Resources Policy Committee, & others

Tomato Food Safety

CS/CS/SB 350 - General Government Appropriations, Agriculture, & others
Tomato Food Safety [EPSC]

CS/HB 451 - Economic Development Policy Committee, Crisafulli, & others
Space Florida

CS/HB 569 - Agriculture & Natural Resources Policy Committee,
Poppell
Landfills

CS/HB 1225 - Agriculture & Natural Resources Policy Committee,
Gibbons
Sewage Disposal Facilities

CS/HB 1537 - Governmental Affairs Policy Committee, Ford, & others
Administrative Procedures of the Department of the Lottery

CS/CS/HB 119 - Military & Local Affairs Policy Committee,
Public Safety & Domestic Security Policy Committee, & others
Sexual Offenders and Predators

CS/CS/HB 747 - Education Policy Council, PreK-12 Policy Committee, & others
Treatment of Diabetes

CS/HB 1101 - Public Safety & Domestic Security Policy Committee,
Waldman
Misdemeanor Pretrial Substance Abuse Programs

CS/HB 1281 - Insurance, Business & Financial Affairs Policy
Committee, Workman
Loan Origination

CS/HB 143 - Military & Local Affairs Policy Committee, Ray, & others
Exemption for Aircraft Assembly and Manufacturing Hangars from
Comprehensive Plan Transportation Concurrency Requirements

CS/HB 1291 - Public Safety & Domestic Security Policy Committee,
Coley, & others
Domestic Violence Fatality Review Teams

CS/HB 7099 - Economic Development & Community Affairs Policy
Council, Military & Local Affairs Policy Committee, & others
Legislative Reauthorizations

CS/HB 109 - Finance & Tax Council, Jenne, & others
Excise Tax on Documents

HB 7153 - Governmental Affairs Policy Committee, Holder
Open Government Sunset Review Act

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,
Bill Galvano, Chair
Rules & Calendar Council

On motion by Rep. Galvano, the above report was adopted.

Special Orders

CS/CS/HB 69 was taken up. On motion by Rep. Crisafulli, the House agreed to substitute CS for CS for SB 350 for CS/CS/HB 69 and read CS for

CS for SB 350 the second time by title. Under Rule 5.13, the House bill was laid on the table.

CS for CS for SB 350—A bill to be entitled An act relating to tomato food safety; amending s. 500.03, F.S.; revising the term "food establishment" to include tomato repackers for purposes of the Florida Food Safety Act; creating s. 500.70, F.S.; defining terms; requiring minimum food safety standards for producing, harvesting, packing, and repacking tomatoes; authorizing the Department of Agriculture and Consumer Services to inspect tomato farms, greenhouses, and packinghouses or repackers; providing penalties; authorizing the department to establish good agricultural practices and best management practices for the tomato industry by rule; providing a presumption that tomatoes introduced into commerce are safe for human consumption under certain circumstances; providing exemptions; authorizing the department to adopt rules; amending s. 570.07, F.S.; authorizing the department to adopt best management practices for agricultural production and food safety; amending s. 570.48, F.S.; revising duties of the Division of Fruit and Vegetables for tomato food safety inspections; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 451—A bill to be entitled An act relating to Space Florida; creating s. 331.3081, F.S.; revising provisions for the governing board of Space Florida to terminate the existing board and replace it with a new board meeting the requirements of this section; providing for membership; providing for appointment of certain voting members by the Governor subject to confirmation by the Senate; providing for appointment of nonvoting members by the President of the Senate and the Speaker of the House of Representatives; providing for terms of the members and organization of the board; providing for reappointment or removal of members; providing for meetings and actions of the board; providing for reimbursement of expenses incurred by members and staff of the board; requiring members to file disclosure of financial interests; repealing s. 331.308, F.S., relating to the board of directors of Space Florida; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 569—A bill to be entitled An act relating to landfills; amending s. 403.708, F.S.; authorizing the disposal of yard trash at specified Class I landfills; requiring such landfills to obtain a modified operating permit; requiring permittees to certify certain collection and beneficial use of landfill gas; providing an effective date.

—was read the second time by title.

On motion by Rep. Garcia, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Zapata offered the following:

(Amendment Bar Code: 904977)

Amendment 1 (with title amendment)—Remove line 35 and insert: amounts of yard trash from a mixed solid waste stream. This paragraph applies to all units of local government, including, but not limited to, municipalities, counties, and special districts. However, this paragraph does not apply to any county that currently operates under a constitutional home rule charter previously authorized in 1956 by the voters of Florida in a statewide referendum.

TITLE AMENDMENT

Remove line 6 and insert:
collection and beneficial use of landfill gas; providing applicability; providing

Rep. Garcia moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 1225—A bill to be entitled An act relating to sewage disposal facilities; amending s. 403.086, F.S.; requiring entities that divert wastewater flows from facilities discharging wastewater through ocean outfalls to meet specified reuse requirements; providing for the recalculation of specified reuse requirements for facilities from which such flows are diverted; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1537—A bill to be entitled An act relating to administrative procedures of the Department of the Lottery; amending s. 24.105, F.S.; revising the rulemaking authority of the Department of the Lottery; authorizing the department to adopt rules governing the operation of games offered by the department; authorizing the department to adopt emergency rules for the purpose of implementing instant ticket games; removing the authority of the department to perform any of the functions of the Department of Management Services under chapter 255, chapter 273, chapter 281, chapter 283, or chapter 287, F.S.; removing the exemption from chapter 120, F.S., related to personnel actions; removing the authority of the department to adopt by rule a code of ethics for its officers and employees; repealing s. 24.109, F.S., relating to administrative procedure; requiring the department to repeal certain rules in existence on a specified date that are no longer authorized; providing an effective date.

—was read the second time by title.

Representative Ford offered the following:

(Amendment Bar Code: 585549)

Amendment 1—Remove lines 76-89 and insert:

10.(f) Such other matters necessary or desirable for the efficient or economical operation of games offered by the department lottery or for the convenience of the public.

(b) The department may at any time adopt emergency rules pursuant to s. 120.54 for the purpose of implementing and promoting instant ticket games. The Legislature finds that, from time to time, the department must respond as quickly as is practicable to changes in the marketplace when creating and promoting instant ticket games. Therefore, in adopting emergency rules for the purpose of implementing and promoting such games, the department need not make the findings required by s. 120.54(4)(a). Emergency rules adopted under this subsection are exempt from s. 120.54(4)(c) and shall remain in effect until expiration of the specific instant ticket game that is the subject of the emergency rule.

Rep. Ford moved the adoption of the amendment, which was adopted.

Representative Ford offered the following:

(Amendment Bar Code: 826909)

Amendment 2 (with title amendment)—Remove line 165 and insert:
(19)(d) The department shall adopt by rule establish and maintain a

TITLE AMENDMENT

Remove line 12 and insert:
chapter 283, or chapter 287, F.S.; requiring the department to adopt by rule a personnel program for its employees; removing the exemption

Rep. Ford moved the adoption of the amendment, which was adopted.

Representative Ford offered the following:

(Amendment Bar Code: 553149)

Amendment 3 (with title amendment)—Remove lines 193-195 and insert:

(20) Adopt by rule a code of ethics for officers and employees of the department which supplements the standards of conduct for public officers and employees imposed by law.

TITLE AMENDMENT

Remove lines 14-15 and insert:
repealing

Rep. Ford moved the adoption of the amendment, which was adopted.

Representative Ford offered the following:

(Amendment Bar Code: 780159)

Amendment 4 (with title amendment)—Remove lines 197-199 and insert:

Section 3. (1) Any emergency rule adopted by the Department of the Lottery on or before July 1, 2010, directly relating to the department's online games; retailers; lost, stolen, or damaged instant tickets; and payment of stolen instant tickets shall be deemed rules adopted pursuant to s. 120.54(3), Florida Statutes, and shall remain in effect until amended or repealed by the department. The Department of State shall renumber such rules as necessary.

(2) Except for the rules described in subsection (1), all rules, or portions thereof, in existence on July 1, 2010, that were adopted in a manner no longer authorized by this act shall stand repealed on January 1, 2011.

TITLE AMENDMENT

Remove lines 17-19 and insert:
deeming certain emergency rules in existence on a specified date to be rules adopted pursuant to s. 120.54(3), F.S.; providing that such rules remain in effect until amended or repealed by the department; requiring the Department of State to renumber rules as necessary; providing for repeal of certain rules in existence on a specified date that are no longer authorized; providing an effective date.

Rep. Ford moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Consideration of **CS/CS/HB 119** was temporarily postponed.

CS/CS/HB 747—A bill to be entitled An act relating to the treatment of diabetes; amending s. 385.203, F.S.; revising the Diabetes Advisory Council membership; amending s. 1002.20, F.S.; prohibiting school districts from restricting the assignment of diabetic students to certain schools for certain reasons; authorizing a student to manage diabetes while at school, at school-sponsored activities, or in transit to or from school or school-sponsored activities with written authorization from the parent and physician; requiring the State Board of Education to adopt rules; providing for indemnification of specified employees, volunteers, and entities; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1101—A bill to be entitled An act relating to misdemeanor pretrial substance abuse programs; amending s. 948.16, F.S.; providing that a person

who has previously been admitted to a pretrial program may qualify for the program; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1281—A bill to be entitled An act relating to loan origination; amending s. 494.00255, F.S.; reenacting a reference to certain federal laws for purposes of incorporating rules adopted under such laws; specifying application of disciplinary procedures to principal loan originators for actions of loan originators; amending s. 494.00331, F.S.; specifying nonapplication of certain limitations to licensed loan originators operating solely as loan processors; providing a definition; prohibiting acting as a loan processor unless licensed as a loan originator; requiring a declaration of intent to engage solely in loan processing; authorizing withdrawal of a declaration of intent; authorizing payment of a loan processor's fee without violating certain restrictions; creating s. 494.00335, F.S.; exempting certain mobile home dealers licensed under ch. 494 and ch. 320, F.S., from licensure under ch. 520, F.S.; providing that certain mobile home dealer employees are not loan originators; amending s. 494.0038, F.S.; revising requirements relating to a good faith estimate by a loan originator; requiring a disclosure document to be signed and dated by the borrower; amending s. 494.0067, F.S.; deleting a requirement for licensure application prior to certain purchases or acquisitions under certain conditions; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 143—A bill to be entitled An act relating to an exemption for aircraft assembly and manufacturing hangars from comprehensive plan transportation concurrency requirements; amending s. 163.3180, F.S.; exempting hangars used to assemble or manufacture aircraft from certain transportation concurrency requirements; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 1291—A bill to be entitled An act relating to domestic violence fatality review teams; amending s. 741.316, F.S.; deleting a requirement that the Governor's Task Force on Domestic Violence provide information and technical assistance to local domestic violence fatality review teams; providing that information and records acquired by a domestic violence fatality review team are not subject to discovery or introduction into evidence in criminal or administrative proceedings in certain circumstances; providing that a person who has attended a meeting of a domestic violence fatality review team may not testify in criminal or administrative proceedings as to certain records or information produced or presented to the team; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/HB 7099—A bill to be entitled An act relating to legislative reauthorizations; reauthorizing certain exemptions, 2-year extensions, and local comprehensive plan amendments granted, authorized, or adopted under general law and in effect as of a certain date; providing construction; providing for retroactive application; providing an effective date.

—was read the second time by title.

Representative Hukill offered the following:

(Amendment Bar Code: 233931)

Amendment 1—Remove lines 33-34 and insert:
therefore to any such actions lawfully undertaken in accordance with chapter 2009-96, Laws of Florida.

Rep. Hukill moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

CS/HB 109—A bill to be entitled An act relating to the excise tax on documents; amending s. 201.02, F.S.; excluding certain unpaid indebtedness from the taxable consideration for short sales of real property; defining the term "short sale"; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

HB 7153—A bill to be entitled An act relating to the Open Government Sunset Review Act; amending ss. 27.151, 378.406, 400.0077, 403.111, and 655.0321, F.S.; correcting cross-references to a repealed section of Florida Statutes; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

CS/CS/HB 119—A bill to be entitled An act relating to sexual offenders and predators; creating s. 856.022, F.S.; prohibiting loitering or prowling by certain offenders within a specified distance of places where children were congregating; prohibiting certain actions toward a child at a public park or playground by certain offenders; prohibiting the presence of certain offenders at or on real property comprising a child care facility or prekindergarten through grade 12 school without notice and supervision; providing exceptions; providing penalties; amending s. 775.21, F.S.; revising and providing definitions; conforming terminology to changes made by the act; revising provisions relating to residence reporting requirements for sexual predators; transferring, renumbering, and amending s. 794.065, F.S.; providing definitions; substituting the term "child care facility" for the term "day care center"; providing that the section does not apply to a person living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence; including offenses in other jurisdictions that are similar to the offenses listed for purposes of providing residency restrictions for persons convicted of certain sex offenses, applicable to offenses committed on or after a specified date; providing that the section does not apply to persons who were removed from the requirement to register as a sexual offender or sexual predator under a specified provision; amending s. 943.0435, F.S.; revising provisions relating to residence reporting requirements for sexual offenders; amending s. 943.04352, F.S.; requiring that the probation services provider search in an additional specified sex offender registry for information regarding sexual predators and sexual offenders when an offender is placed on misdemeanor probation; amending s. 944.606, F.S.; revising address reporting requirements for sexual offenders; amending s. 944.607, F.S.; requiring additional registration information from sex offenders who are under the supervision of the Department of Corrections but who are not incarcerated; amending s. 947.005, F.S.; providing additional definitions; amending s. 947.1405, F.S.; conforming terminology to changes made by the act; providing that a releasee living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence may not be forced to relocate and does not violate his or her conditional release supervision; revising provisions relating to polygraph examinations of specified conditional releasees who have committed specified sexual offenses; providing additional restrictions for certain conditional releasees who have committed specified sexual offenses against minors or have similar convictions in another jurisdiction; amending s. 948.001, F.S.; revising and providing definitions; amending s. 948.30, F.S.; conforming terminology to changes made by the act; providing that a probationer or community controllee living in an approved residence before the establishment of a school, child care facility, park, or playground within 1,000 feet of the residence may not be forced to relocate and does not violate his or her probation or community control; revising provisions relating to polygraph examinations of specified probationers or community controllees

who have committed specified sexual offenses; providing additional restrictions for certain probationers or community controllees who committed specified sexual offenses against minors or who have similar convictions in another jurisdiction; amending s. 948.31, F.S.; deleting a requirement for diagnosis of certain sexual predators and sexual offenders on community control; revising provisions relating to treatment for such offenders and predators; amending s. 985.481, F.S.; providing additional address reporting requirements for sexual offenders adjudicated delinquent; amending s. 985.4815, F.S.; revising provisions relating to address and residence reporting requirements for sexual offenders adjudicated delinquent; providing legislative intent; providing severability; providing a directive to the Division of Statutory Revision; providing an effective date.

—was taken up, having been temporarily postponed earlier today, and read the second time by title.

On motion by Rep. Glorioso, by the required two-thirds vote, the House agreed to consider the following late-filed amendment.

Representative Glorioso offered the following:

(Amendment Bar Code: 179435)

Amendment 1 (with title amendment)—Between lines 898 and 899, insert:

Section 6. Section 943.04354, Florida Statutes, is amended to read:

943.04354 Removal of the requirement to register as a sexual offender or sexual predator in special circumstances.—

(1) For purposes of this section, a person shall be considered for removal of the requirement to register as a sexual offender or sexual predator only if the person:

(a) Was or will be convicted or adjudicated delinquent of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or the person committed a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication of guilt was or will be withheld, and the person does not have any other conviction, adjudication of delinquency, or withhold of adjudication of guilt for a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5);

(b) Is required to register as a sexual offender or sexual predator solely on the basis of this violation; and

(c) Is not more than 4 years older than the victim of this violation who was 14 years of age or older but not more than 17 years of age at the time the person committed this violation.

(2) If a person meets the criteria in subsection (1) and the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) was committed on or after July 1, 2007, the person may move the court that will sentence or dispose of this violation to remove the requirement that the person register as a sexual offender or sexual predator. The person must allege in the motion that he or she meets the criteria in subsection (1) and that removal of the registration requirement will not conflict with federal law. The state attorney must be given notice of the motion at least 21 days before the date of sentencing or disposition of this violation and may present evidence in opposition to the requested relief or may otherwise demonstrate why the motion should be denied. At sentencing or disposition of this violation, the court shall rule on this motion and, if the court determines the person meets the criteria in subsection (1) and the removal of the registration requirement will not conflict with federal law, it may grant the motion and order the removal of the registration requirement. If the court denies the motion, the person is not authorized under this section to petition for removal of the registration requirement.

(3)(a) This subsection applies to a person who:

1. Is not a person described in subsection (2) because the violation of s. 794.011, ~~s. 800.04~~, or s. 827.071 was not committed on or after July 1, 2007;

2. Is subject to registration as a sexual offender or sexual predator for a violation of s. 794.011, ~~s. 800.04~~, or s. 827.071; and

3. Meets the criteria in subsection (1).

(b) A person may petition the court in which the sentence or disposition for the violation of s. 794.011, ~~or s. 800.04~~, or s. 827.071 occurred for removal of the requirement to register as a sexual offender or sexual predator. The person must allege in the petition that he or she meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law. The state attorney must be given notice of the petition at least 21 days before the hearing on the petition and may present evidence in opposition to the requested relief or may otherwise demonstrate why the petition should be denied. The court shall rule on the petition and, if the court determines the person meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law, it may grant the petition and order the removal of the registration requirement. If the court denies the petition, the person is not authorized under this section to file any further petition for removal of the registration requirement.

(4) If a person provides to the Department of Law Enforcement a certified copy of the court's order removing the requirement that the person register as a sexual offender or sexual predator for the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5), the registration requirement will not apply to the person and the department shall remove all information about the person from the public registry of sexual offenders and sexual predators maintained by the department. However, the removal of this information from the public registry does not mean that the public is denied access to information about the person's criminal history or record that is otherwise available as a public record.

TITLE AMENDMENT

Remove line 35 and insert:

probation; amending s. 943.04354, F.S.; allowing the removal of the requirement to register as a sexual offender or sexual predator for a violation involving sexual performance by a child in special circumstances; amending s. 944.606, F.S.; revising address

Rep. Glorioso moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

Motion to Adjourn

Rep. Galvano moved that the House, after receiving reports, adjourn for the purpose of holding council and committee meetings and conducting other House business, to reconvene at 12:45 p.m., Thursday, April 15, 2010, or upon call of the Chair. The motion was agreed to.

Cosponsors

HB 7—Abruzzo, Cruz, Rogers, Workman

CS/HB 31—Workman

CS/HB 143—Adkins, Carroll, Gibson

CS/HB 235—Pafford

CS/HB 317—Ambler, Wood

CS/HB 451—Carroll

CS/HB 467—Pafford

CS/CS/HB 623—Hudson

CS/CS/HB 633—Clarke-Reed

HB 711—Ford

CS/CS/HB 1061—Chestnut

HB 1065—Chestnut

HB 1147—Drake, K. Roberson

HB 1221—Heller, Rehwinkel Vasilinda

CS/HB 1281—Rogers

HJR 1399—Ambler, Rouson

CS/HB 1537—Schenck

HJR 1553—Robaina

HB 7017—Rogers

HB 7019—Rogers

HB 7181—Brisé, A. Williams, Zapata

HR 9009—Zapata

HR 9033—Cruz, Pafford, Zapata

Introduction and Reference

By the General Government Policy Council; Representative Nelson—

HB 7217—A bill to be entitled An act relating to Florida Hurricane Catastrophe Fund emergency assessments; amending s. 215.555, F.S.; delaying the repeal of an exemption from certain emergency assessments provided for medical malpractice insurance premiums and the subjection of such premiums to emergency assessments; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Finance & Tax Council; Representative Abruzzo—

HB 7219—A bill to be entitled An act relating to the corporate income tax; amending s. 220.03, F.S.; providing for the adoption of the 2010 version of the Internal Revenue Code; providing for retroactive operation; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Select Committee on Seminole Indian Compact Review; Representative Galvano—

HB 7221—A bill to be entitled An act relating to gaming; amending s. 285.710, F.S., relating to compact authorization; providing definitions; providing that specified agreements executed by the Seminole Tribe of Florida and the Governor are void and not in effect; ratifying and approving a specified compact executed by the Tribe and the Governor; directing the Governor to cooperate with the Tribe in seeking approval of the compact from the United States Secretary of the Interior; revising powers and duties of the Governor regarding a compact and amendments to a compact between the Tribe and the state; revising a provision that specifies that the compact is invalid if certain provisions are held invalid by a court or the United States Department of the Interior; revising a provision for the effect on the compact of certain changes to the Indian Gaming Regulatory Act; removing a provision directing the Governor to ensure certain funds received are deposited in a specified fund; removing a provision for expiration of certain authority granted to the Governor; removing a provision that expresses legislative intent; revising duties of the Division of Pari-mutuel Wagering of the Department of Business and Professional Regulation to carry out oversight responsibilities as the state compliance agency; revising duties of the Governor to execute an agreement for application of certain state taxes on

Indian lands; providing for distribution of certain moneys paid to the state; providing for the calculation and distribution of a local government share of such moneys; revising provisions for moneys remitted by the Tribe to the state before the effective date of the compact; providing for deposit of the moneys into the General Revenue Fund; revising provisions that authorize certain gaming activity; repealing s. 285.711, F.S., relating to a gaming compact between the Seminole Tribe and the State of Florida; creating s. 285.712, F.S.; providing that the Governor is the designated state officer responsible for negotiating and executing, on behalf of the state, tribal-state gaming compacts with certain Indian tribes; requiring any such compact to be conditioned on ratification by the Legislature; providing procedures for ratification of a compact and submission to the United States Secretary of the Interior for review and approval; amending s. 551.103, F.S.; requiring the division to adopt rules regulating the employment by a slot machine licensee of security personnel; amending s. 26 of chapter 2009-170, Laws of Florida, an act relating to gaming; revising the effective date for provisions of that act to remove contingency requirements applicable to provisions relating to the pari-mutuel industry; providing a date for those provisions to take effect; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Select Policy Council on Strategic & Economic Planning; Representative Grimsley—

HB 7223—A bill to be entitled An act relating to Medicaid managed care; creating pt. IV of ch. 409, F.S.; creating s. 409.961, F.S.; providing for statutory construction; providing applicability of specified provisions throughout the part; providing rulemaking authority for specified agencies; creating s. 409.962, F.S.; providing definitions; creating s. 409.963, F.S.; designating the Agency for Health Care Administration as the single state agency to administer the Medicaid program; providing for specified agency responsibilities; requiring client consent for release of medical records; creating s. 409.964, F.S.; establishing the Medicaid program as the statewide, integrated managed care program for all covered services; authorizing the agency to apply for and implement waivers; providing for public notice and comment; creating s. 409.965, F.S.; providing for mandatory enrollment; providing for exemptions; creating s. 409.966, F.S.; providing requirements for qualified plans that provide services in the Medicaid managed care program; providing for a medical home network to be designated as a qualified plan; establishing provider service network requirements for qualified plans; providing for qualified plan selection; requiring the agency to use an invitation to negotiate; requiring the agency to compile and publish certain information; establishing regions for separate procurement of plans; providing quality selection criteria for plan selection; establishing quality selection criteria; providing limitations on serving recipients during the pendency of litigation; providing that a qualified plan that participates in an invitation to negotiate in more than one region may not serve Medicaid recipients until all administrative challenges are finalized; creating s. 409.967, F.S.; providing for managed care plan accountability; establishing contract terms; providing for contract extension under certain circumstances; establishing payments to noncontract providers; establishing requirements for access; requiring plans to establish and maintain an electronic database; establishing requirements for the database; requiring plans to provide encounter data; requiring the agency to establish performance standards for plans; providing program integrity requirements; establishing a grievance resolution process; providing for penalties for early termination of contracts or reduction in enrollment levels; creating s. 409.968, F.S.; establishing managed care plan payments; providing payment requirements for provider service networks; creating s. 409.969, F.S.; requiring enrollment in managed care plans by specified Medicaid recipients; creating requirements for plan selection by recipients; providing for choice counseling; establishing choice counseling requirements; authorizing disenrollment under certain circumstances; defining the term "good cause" for purposes of disenrollment; providing time limits on an internal grievance process; providing requirements for agency determination regarding disenrollment; requiring recipients to stay in plans for a specified time; creating s. 409.970, F.S.; requiring the agency to

maintain an encounter data system; providing requirements for prepaid plans to submit data; creating s. 409.971, F.S.; creating the managed medical assistance program; providing deadlines to begin and finalize implementation of the program; creating s. 409.972, F.S.; providing for mandatory and voluntary enrollment; creating s. 409.973, F.S.; establishing minimum benefits for managed care plans to cover; authorizing plans to customize benefit packages; requiring plans to establish enhanced benefits programs; providing terms for enhanced benefits package; establishing reserve requirements for plans to fund enhanced benefits programs; creating s. 409.974, F.S.; establishing a specified number of qualified plans to be selected in each region; establishing a deadline for issuing invitations to negotiate; establishing quality selection criteria; establishing the Children's Medical Service Network as a qualified plan; creating s. 409.975; establishing managed care plan accountability; creating a medical loss ratio requirement; authorizing plans to limit providers in networks; mandating certain providers be offered contracts in the first year; requiring certain provider types to participate in plans; requiring plans to monitor the quality and performance history of providers; requiring specified programs and procedures be established by plans; establishing provider payments for hospitals; establishing conflict resolution procedures; establishing plan requirements for medically needy recipients; creating s. 409.976, F.S.; providing for managed care plan payment; requiring the agency to establish a methodology to ensure certain types of payments to specified providers; establishing eligibility for payments; creating s. 409.977, F.S.; providing for enrollment; establishing choice counseling requirements; providing for automatic enrollment of certain recipients; establishing opt-out opportunities for recipients; creating s. 409.978, F.S.; requiring the Agency for Health Care Administration be responsible for administering the long-term care managed care program; providing implementation dates for the long-term care managed care program; providing duties for the Department of Elderly Affairs relating to assisting the agency in implementing the program; creating s. 409.979, F.S.; providing eligibility requirements for the long-term care managed care program; creating s. 409.980, F.S.; providing the benefits that a managed care plan shall provide when participating in the long-term care managed care program; creating s. 409.981, F.S.; providing criteria for qualified plans; designating regions for plan implementation throughout the state; providing criteria for the selection of plans to participate in the long-term care managed care program; creating s. 409.982, F.S.; providing the agency shall establish a uniform accounting and reporting methods for plans; providing spending thresholds and consequences relating to spending thresholds; providing for mandatory participation in plans of certain service providers; providing providers can be excluded from plans for failure to meet quality or performance criteria; providing the plans must monitor participating providers using specified criteria; providing certain providers that must be included in plan networks; providing provider payment specifications for nursing homes and hospices; creating s. 409.983, F.S.; providing for negotiation of rates between the agency and the plans participating in the long-term care managed care program; providing specific criteria for calculating and adjusting plan payments; allowing the CARES program to assign plan enrollees to a level of care ; providing incentives for adjustments of payment rates; providing the agency shall establish nursing facility-specific and hospice services payment rates; creating s. 409.984, F.S.; providing that prior to contracting with another vender, the agency shall offer to contract with the aging resource centers to provide choice counseling for the long-term care managed care program; providing criteria for automatic assignments of plan enrollees who fail to chose a plan; creating s. 409.985, F.S.; providing that the agency shall operate the Comprehensive Assessment and Review for Long-Term Care Services program through an interagency agreement with the Department of Elderly Affairs; providing duties of the program; defining the term "nursing facility care"; creating s. 409.986, F.S.; providing authority and agency duties related to long-term care plans; creating s. 409.987, F.S.; providing eligibility requirements for long-term care plans; creating s. 409.988, F.S.; providing benefits for long-term care plans; creating s. 409.989, F.S.; establishing criteria for qualified plans; specifying minimum and maximum number of plans and selection criteria; creating s. 409.990, F.S.; providing requirements for managed care plan accountability; specifying limitations on providers in plan networks; providing for

evaluation and payment of network providers; creating s. 409.991, F.S.; providing for payment of managed care plans; providing duties for the Agency for Persons with Disabilities to assign plan enrollees into a payment rate level of care; establishing level of care criteria; providing payment requirements for intermediate care facilities for the developmentally disabled; creating s. 409.992, F.S.; providing requirements for enrollment and choice counseling; specifying enrollment exceptions for certain Medicaid recipients; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

By the Select Policy Council on Strategic & Economic Planning;
Representative Grimsley—

HB 7225—A bill to be entitled An act relating to Medicaid; amending s. 393.0661, F.S., relating to the home and community-based services delivery system for persons with developmental disabilities; requiring the Agency for Persons with Disabilities to establish a transition plan for current Medicaid recipients under certain circumstances; providing for expiration of the section on a specified date; creating s. 400.0713, F.S.; requiring the Agency for Health Care Administration to establish a nursing home licensure workgroup; amending s. 408.040, F.S.; providing for suspension of conditions precedent to the issuance of a certificate of need for a nursing home, effective on a specified date; amending s. 408.0435, F.S.; extending the certificate-of-need moratorium for additional community nursing home beds; designating ss. 409.016-409.803, F.S., as pt. I of ch. 409, F.S., and entitling the part "Social and Economic Assistance"; designating ss. 409.810-409.821, F.S., as pt. II of ch. 409, F.S., and entitling the part "Kidcare"; designating ss. 409.901-409.9205, F.S., as part III of ch. 409, F.S., and entitling the part "Medicaid"; amending s. 409.907, F.S.; authorizing the Agency for Health Care Administration to enroll entities as Medicare crossover-only providers for payment purposes only; specifying requirements for Medicare crossover-only agreements; amending s. 409.908, F.S.; providing penalties for providers that fail to report suspension or disenrollment from Medicare within a specified time; amending s. 409.912, F.S.; authorizing provider service networks to provide comprehensive behavioral health care services to certain Medicaid recipients; providing payment requirements for provider service networks; providing for the expiration of various provisions of the section on specified dates to conform to the reorganization of Medicaid managed care; eliminating obsolete provisions and updating provisions within the section; amending ss. 409.91195 and 409.91196, F.S.; conforming cross-references; amending s. 409.91207, F.S.; providing authority of the Agency for Health Care Administration with respect to the development of a method for designating qualified plans as a medical home network; providing purposes and principles for creating medical home networks; providing criteria for designation of a qualified plan as a medical home network; providing agency duties with respect thereto; amending s. 409.91211, F.S.; providing authority of the Agency for Health Care Administration to implement a managed care pilot program based on specified waiver authority with respect to the Medicaid reform program; continuing the existing pilot program in specified counties; requiring the agency to seek an extension of the waiver; providing for monthly reports; requiring approval of the Legislative Budget Commission for changes to specified terms and conditions ; providing for expansion of the managed care pilot program to Miami-Dade County; specifying managed care plans that are qualified to participate in the Medicaid managed care pilot program; providing requirements for qualified managed care plans; requiring the agency to develop and seek federal approval to implement methodologies to preserve intergovernmental transfers of funds and certified public expenditures from Miami-Dade County; requiring the agency to submit a plan and specified amendment to the Legislative Budget Commission; providing for a report; requiring Medicaid recipients in counties in which the managed care pilot program has been implemented to be enrolled in a qualified plan; providing a time limit for enrollment; requiring the agency to provide choice counseling; providing requirements with respect to choice counseling information provided to Medicaid recipients; providing for automatic enrollment of

certain Medicaid recipients; establishing criteria for automatic enrollment; providing procedures and requirements with respect to voluntary disenrollment of a recipient in a qualified plan; providing for an enrollment period; requiring qualified plans to establish a process for review of and response to grievances of enrollees; requiring qualified plans to submit quarterly reports; specifying services to be covered by qualified plans; authorizing qualified plans to offer specified customizations, variances, and coverage for additional services; requiring agency evaluation of proposed benefit packages; requiring qualified plans to reimburse the agency for the cost of specified enrollment changes; providing for access to encounter data; requiring participating plans to establish an incentive program to reward healthy behaviors; requiring the agency to continue budget-neutral adjustment of capitation rates for all prepaid plans in existing managed care pilot program counties; providing for transition to payment methodologies for Miami-Dade County plans; providing a phased schedule for risk-adjusted capitation rates; requiring the establishment of a technical advisory panel; providing for distribution of funds from a low-income pool; specifying purposes for such distribution; requiring the agency to maintain and operate the Medicaid Encounter Data System; requiring the agency to contract with the University of Florida for evaluation of the pilot program; amending s. 409.9122, F.S.; eliminating outdated provisions; providing for the expiration of various provisions of the section on specified dates to conform to the reorganization of Medicaid managed care; requiring the Agency for Health Care Administration to begin a budget-neutral adjustment of capitation rates for all Medicaid prepaid plans in the state on a specified date; providing the basis for the adjustment; providing a phased schedule for risk adjusted capitation rates; providing for the establishment of a technical advisory panel; requiring the agency to develop a process to enable any recipient with access to employer sponsored insurance to opt out of qualified plans in the Medicaid program; requiring the agency, contingent on federal approval, to enable recipients with access to other insurance or related products providing access to specified health care services to opt out of qualified plans in the Medicaid program; providing a limitation on the amount of financial assistance provided for each recipient; requiring each qualified plan to establish an incentive program that rewards specific healthy behaviors; requiring plans to maintain a specified reserve account; requiring the agency to maintain and operate the Medicaid Encounter Data System; requiring the agency to establish a designated payment for specified Medicare Advantage Special Needs members; authorizing the agency to develop a designated payment for Medicaid-only covered services for which the state is responsible; requiring the agency to establish, and managed care plans to use, a uniform method of accounting for and reporting of medical and nonmedical costs; requiring reimbursement by Medicaid of school districts participating in a certified school match program for a Medicaid-eligible child participating in the services, effective on a specified date; requiring the agency, the Department of Health, and the Department of Education to develop procedures for ensuring that a student's managed care plan receives information relating to services provided; authorizing the Agency for Health Care Administration to create exceptions to mandatory enrollment in managed care under specified circumstances; amending s. 430.04, F.S.; eliminating outdated provisions; requiring the Department of Elderly Affairs to develop a transition plan for specified elder and disabled adults receiving long-term care Medicaid services when qualified plans become available; providing for expiration thereof; amending s. 430.2053, F.S.; eliminating outdated provisions; providing additional duties of aging resource centers; providing an additional exception to direct services that may not be provided by an aging resource center; providing for the cessation of specified payments by the department as qualified plans become available; providing for a memorandum of understanding between the Agency for Health Care Administration and aging resource centers under certain circumstances; eliminating provisions requiring reports; amending s. 641.386, F.S.; conforming a cross-reference; repealing s. 430.701, F.S., relating to legislative findings and intent and approval for action relating to provider enrollment levels; repealing s. 430.702, F.S., relating to the Long-Term Care Community Diversion Pilot Project Act; repealing s. 430.703, F.S., relating to definitions; repealing s. 430.7031, F.S., relating to nursing home transition program; repealing s. 430.704, F.S., relating to evaluation of long-term care

through the pilot projects; repealing s. 430.705, F.S., relating to implementation of long-term care community diversion pilot projects; repealing s. 430.706, F.S., relating to quality of care; repealing s. 430.707, F.S., relating to contracts; repealing s. 430.708, F.S., relating to certificate of need; repealing s. 430.709, F.S., relating to reports and evaluations; renumbering ss. 409.9301, 409.942, 409.944, 409.945, 409.946, 409.953, and 409.9531, F.S., as ss. 402.81, 402.82, 402.83, 402.84, 402.85, 402.86, and 402.87, F.S., respectively; amending s. 443.111, F.S.; conforming a cross-reference; providing contingent effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Referred to the Calendar of the House.

First Reading of Council and Committee Substitutes by Publication

By the General Government Policy Council; and Insurance, Business & Financial Affairs Policy Committee; Representative Hukill—

CS/CS/HB 501—A bill to be entitled An act relating to estates and trusts; amending s. 518.112, F.S.; providing additional delegable investment functions for fiduciaries relating to life insurance contract administration; revising notice requirements and criteria for delegation by a fiduciary of investment functions to an investment agent; creating s. 736.0902, F.S.; specifying certain activities trustees are under no duty to undertake relating to administration of certain contracts for life insurance; specifying absence of liability of trustees to trust beneficiaries for certain losses; specifying criteria for application of certain provisions; providing for certain notice requirements; specifying nonapplication to certain contracts of life insurance; providing definitions; providing for nonapplication of certain delegable investment functions by a trustee under certain circumstances; specifying certain activities for which a trustee may not be compensated; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the General Government Policy Council; Government Operations Appropriations Committee; and Insurance, Business & Financial Affairs Policy Committee; Representative Workman—

CS/CS/CS/HB 713—A bill to be entitled An act relating to the Department of Business and Professional Regulation; amending s. 20.165, F.S.; assigning certain programs to regulation by the department's Division of Professions; amending ss. 215.37 and 455.017, F.S.; specifying that the department is responsible for the regulation of certain professions; amending s. 322.142, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to issue reproductions of driver's licenses to the Department Business and Professional Regulation pursuant to an interagency agreement for a specified purpose; amending s. 455.02, F.S.; authorizing the temporary professional licensure of the spouses of active duty members of the United States Armed Forces under certain circumstances; providing application requirements; requiring criminal history checks and fees; creating s. 455.2122, F.S.; authorizing distance learning courses to satisfy certain licensing education requirements for community association managers and real estate brokers and sales associates; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.2123, F.S.; authorizing distance learning courses to satisfy certain continuing education requirements for community association managers, home inspectors, mold assessors and remediators, and real estate brokers, sales associates, and appraisers; prohibiting requirements for centralized examinations to complete such education requirements; amending s. 455.213, F.S.; requiring a licensee to surrender his or her license under certain circumstances; amending s. 455.217, F.S.; revising the departmental unit responsible for administration of certain examinations; limiting an applicant's review of failed examination questions; amending s. 455.2175, F.S.; prohibiting an examinee whose

examination materials are confiscated from taking another examination under certain circumstances; repealing s. 455.2226, F.S., relating to continuing education courses on HIV and AIDS required for licensees and certificateholders under the Florida Funeral, Cemetery, and Consumer Services Act; amending s. 455.227, F.S.; revising grounds for the discipline of professional licensees; providing penalties; amending s. 455.228, F.S.; revising terminology for cease and desist notices; amending s. 455.275, F.S.; providing for the service of administrative complaints on certain licensees and publication of certain notices; amending s. 468.83, F.S.; creating the home inspection services licensing program within the department; amending s. 468.8311, F.S.; revising the definition of the term "home inspection services" for purposes of provisions regulating home inspectors; amending s. 468.8312, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8313, F.S.; requiring home inspector license applicants to satisfy certain examination requirements before application for licensure; requiring criminal history checks and fees; amending s. 468.8318, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering home inspection services; amending s. 468.8319, F.S.; prohibiting certain acts relating to home inspection services; delaying implementation of certain prohibited acts; providing penalties; providing an exemption for certain certified contractors; authorizing the department to require certain disclosures on contracts for home repairs performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.832, F.S.; providing an additional ground for discipline of licensed home inspectors; amending s. 468.8324, F.S.; extending the time for licensure of home inspectors under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of home inspection reports submitted for licensure under the grandfather provisions; providing penalties for the submission of false reports; creating s. 468.8325, F.S.; requiring the department to adopt rules; amending s. 468.84, F.S.; creating the mold-related services licensing program within the department; amending s. 468.8412, F.S.; deleting limits on fees for certificates of authorization to conform to changes made by the act; amending s. 468.8413, F.S.; requiring mold assessor and mold remediator license applicants to satisfy certain examination requirements before application for licensure; revising the educational requirements for licensure as a mold assessor or mold remediator; requiring criminal history checks and fees; amending s. 468.8414, F.S.; specifying that certain insurance coverage is required for licensure by endorsement; amending s. 468.8418, F.S.; deleting requirements for certificates of authorization for corporations or partnerships offering mold-related services; amending s. 468.8419, F.S.; prohibiting certain acts relating to mold assessment and remediation; delaying implementation of certain prohibited acts; providing penalties; providing exemptions for certain certified contractors; authorizing the department to require certain disclosures on contracts for mold-related services performed by such contractors; exempting from punishment certain unlicensed activity occurring before a specified date; amending s. 468.842, F.S.; providing an additional ground for discipline of licensed mold assessors and mold remediators; amending s. 468.8421, F.S.; revising insurance coverage requirements for mold assessors; amending s. 468.8423, F.S.; extending the time for licensure of mold assessors and mold remediators under certain grandfather provisions; revising the licensing criteria for such provisions; authorizing the department to investigate the validity of mold assessments and remediation invoices submitted for licensure under the grandfather provisions; providing penalties for the submission of false assessments or invoices; creating s. 468.8424, F.S.; requiring the department to adopt rules; amending s. 474.203, F.S.; revising certain exemptions from regulation of veterinary medical practice; amending s. 475.02, F.S.; authorizing certain members of the Florida Real Estate Commission to offer, conduct, and teach courses prescribed or approved by the commission or the department; amending s. 475.175, F.S.; revising the application and fingerprint requirements for real estate broker and sales associate licenses; deleting a requirement that license applicants provide fingerprints in an electronic format; amending s. 475.613, F.S.; revising qualifications of members of the Florida Real Estate Appraisal Board; authorizing certain board members to offer, conduct, and teach courses prescribed or approved by the board or the

department; amending s. 477.019, F.S.; deleting time limits for cosmetology license applicants to take the licensure examination; conforming a cross-reference; amending s. 509.211, F.S.; assigning responsibility for the regulation of carbon monoxide hazards in certain public lodging establishments to the Division of State Fire Marshal of the Department of Financial Services; creating s. 548.076, F.S.; authorizing the Department of Business and Professional Regulation to issue and enforce notices to cease and desist from violations of provisions regulating pugilistic exhibitions; providing penalties; amending s. 561.17, F.S.; revising application requirements for alcoholic beverage licenses; reenacting ss. 468.436(2)(a), 468.832(1)(a), 468.842(1)(a), 471.033(1)(a), 473.323(1)(a), 475.25(1)(a), 475.624(1), 476.204(1)(h), 477.029(1)(h), 481.225(1)(a), and 481.325(1)(a), F.S., relating to disciplinary proceedings for community association managers, home inspectors, mold assessors, mold remediators, engineers, certified public accountants, real estate brokers and sales associates, real estate appraisers, barbers, cosmetologists, architects, and landscape architects, to incorporate the amendment made to s. 455.227, F.S., in references thereto; reenacting s. 468.8314(2), F.S., relating to the licensure of home inspectors, to incorporate the amendment made to s. 468.832, F.S., in a reference thereto; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the General Government Policy Council; Representative Tobia—

CS/HB 885—A bill to be entitled An act relating to insurance; amending s. 626.9541, F.S.; prohibiting construction to prevent a Medicare supplement insurer from granting a premium credit to insureds under certain circumstances; creating s. 627.4605, F.S.; specifying nonapplication of a required notice to a current insurer of a policy replacement under certain circumstances; amending s. 627.464, F.S.; providing a limitation on the resale of certain annuities to third parties; amending s. 627.552, F.S.; prohibiting the creating or permitting of certain classes of employees for group health insurance policy purposes; preserving an employer's authority to require certain plan participation as a condition of employment; amending s. 627.5575, F.S.; revising the limitation on the amount of insurance for spouses of dependent children of employees of members under a group life insurance policy; creating s. 627.6011, F.S.; excluding certain mandatory health benefits from coverage in certain insurance policies or other supplemental or limited benefit policies; providing a definition; amending s. 627.6741, F.S.; specifying absence of a prohibition against certain Medicare supplement policy insurers from entering into agreements through a network with certain facilities; specifying absence of a requirement to file certain contracts with the Office of Insurance Regulation; amending s. 627.6745, F.S.; requiring certain insurers to factor certain deductibles and premium credits into loss-ratio calculation and policy premiums; amending s. 627.9403, F.S.; revising application of provisions to certain policies of insurance; providing a definition; amending s. 634.282, F.S.; revising provisions relating to refunds of excess premiums or charges; providing a declaration of state public policy protecting persons from government intrusion relating to securing health insurance coverage without penalty; prohibiting state residents from being required to obtain or maintain a policy of individual health insurance coverage; specifying absence of liability for penalty or fine for failing to obtain or maintain health insurance coverage; authorizing the Attorney General to initiate and pursue litigation in federal or state court or administrative forum on behalf of certain persons under certain circumstances; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Full Appropriations Council on Education & Economic Development; and PreK-12 Policy Committee; Representatives Llorente, Hukill, Ambler, Anderson, Brandenburg, Burgin, Flores, Ford, Fresen, Glorioso, Gonzalez, Heller, Hudson, Jenne, Kiar, McBurney, Nehr, Pafford, Planas, Porth, Precourt, Rader, Reed, Sachs, Schenck, Schultz, Schwartz, Skidmore, Soto, Stargel, Steinberg, Tobia, T. Williams, and Zapata—

CS/CS for HB 1073 & HB 81—A bill to be entitled An act relating to persons with disabilities; amending s. 393.067, F.S.; revising provisions relating to licensure and standards for facilities and programs for persons with developmental disabilities; amending s. 393.13, F.S.; revising rights for persons with developmental disabilities; amending s. 402.305, F.S.; requiring minimum training for child care personnel to include the identification and care of children with developmental disabilities; creating s. 1003.573, F.S.; requiring that each school prepare an incident report within a specified period after each occasion of student restraint or seclusion; specifying the contents of such report; requiring that each school notify a student's parent or guardian if manual physical restraint or seclusion is used; requiring certain reporting and monitoring; requiring that each school district develop and revise policies and procedures governing the incident reports, data collection, and the monitoring and reporting of such data; prohibiting school personnel from using mechanical restraint on a student or a manual physical restraint that restricts a student's breathing; prohibiting school personnel from closing, locking, or physically blocking a student in a room that is unlit and does not meet the rules of the State Fire Marshal for seclusion time-out rooms; amending s. 1004.55, F.S.; requiring regional autism centers to provide certain support for serving children with developmental disabilities; creating s. 1012.582, F.S.; requiring the Commissioner of Education to develop recommendations to incorporate instruction relating to developmental disabilities into continuing education or inservice training requirements for instructional personnel; requiring the Department of Education to incorporate the course curricula into existing requirements for such education or training; authorizing the State Board of Education to adopt rules; requiring the Division of Vocational Rehabilitation within the Department of Education to develop an implementation plan for the establishment of a state vocational college for persons with developmental disabilities subject to legislative authorization and appropriation of funding; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Health & Family Services Policy Council; and Health Care Services Policy Committee; Representative Kreegel—

CS/HB 7083—A bill to be entitled An act relating to child support enforcement; amending s. 61.13, F.S.; deleting a reference to health insurance with respect to a proceeding to determine each parent's share of a child's medical-support-only obligation; providing the procedure for child support payments to be paid through the depository; clarifying that income deduction payments are required to be paid to the State Disbursement Unit; amending s. 61.30, F.S.; authorizing the Department of Revenue to provide documentation of the income of a parent receiving public assistance to the court under certain circumstances; amending s. 382.013, F.S.; authorizing paternity determination based on final judgment of dissolution of marriage requiring the former husband to pay child support; authorizing the Department of Health to amend a birth certificate to reflect marital status if the mother and father marry after the birth of the child; amending s. 382.015, F.S.; authorizing the Office of Vital Statistics to amend a birth certificate to include the name of the legal father when a final judgment of dissolution of marriage requires the former husband to pay support for the child; amending s. 382.016, F.S.; authorizing the Office of Vital Statistics to amend a child's birth certificate to include the name of the legal father upon receipt of a marriage license that identifies the registrant; amending s. 409.2558, F.S.; creating additional priorities for processing undistributable collections; authorizing the Department of Revenue to retain uncashed checks or closed Title IV-D case balances of child support collections under \$1; amending s. 409.256, F.S.; revising definitions; permitting a person ordered to appear for genetic testing to contest the order by filing a written request for informal review

within a specified time period; amending s. 409.2563, F.S.; revising the definition of the term "caretaker relative"; conforming terminology; conforming a reference; amending s. 409.25635, F.S.; authorizing the Department of Revenue to collect noncovered medical expenses in installments by issuing an income deduction notice; amending s. 409.2564, F.S.; deleting the requirement for reducing the child support guideline amount for retroactive support by 25 percent; providing a process for court hearings relating to support order reviews; requiring the department, rather than the Title IV-D agency, to review and take certain actions with respect to child support orders; providing for modification of a child support order; requiring the department to file a petition to modify the order and specified financial documentation under certain circumstances; providing procedures for a party to obtain a court hearing; amending s. 409.2567, F.S.; authorizing the Department of Revenue to seek a waiver from certain application requirements from the United States Department of Health and Human Services under certain conditions; amending s. 409.259, F.S.; extending the deadline for implementing electronic filing in Title IV-D cases to coincide with completion of the department's Child Support Automated Management System II; amending s. 409.910, F.S.; authorizing the Agency for Health Care Administration to provide health insurance information to the Department of Revenue for administering the Title IV-D program; requiring the agency and the department to enter into a cooperative agreement to implement the requirement; amending s. 414.095, F.S.; requiring a family to assign rights to receive certain financial support to the Department of Revenue, rather than the Department of Children and Family Services, as a condition of receiving temporary cash assistance; amending s. 741.01, F.S.; providing that an application for a marriage license must allow both parties to the marriage to state under oath and in writing if they are the parents of any child born in the state and to identify any child they have in common; requiring the name of any child recorded by both parties to be transmitted to the Department of Health; reenacting ss. 61.14(1)(c) and 61.30(1)(c), F.S., relating to the enforcement and modification of support, maintenance, or alimony agreements or orders and child support guidelines, respectively, to incorporate the amendments made to s. 409.2564, F.S., in references thereto; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Full Appropriations Council on Education & Economic Development; and Finance & Tax Council; Representative Bogdanoff—

CS/HB 7127—A bill to be entitled An act relating to working waterfront property; creating s. 193.704, F.S.; providing definitions; specifying property that is eligible for classification as working waterfront property; requiring the assessment of working waterfront property based on current use; requiring an application for classification of property as working waterfront property; authorizing a property appraiser to approve an application that is not filed by a certain deadline due to extenuating circumstances; providing for the waiver of annual application requirements; providing for the loss of classification upon a change of ownership or use; requiring that property owners notify the property appraiser of changes in use or ownership of property; imposing a penalty on a property owner who fails to notify the property appraiser of an event resulting in the unlawful or improper classification of property as working waterfront property; requiring the imposition of tax liens to recover penalties and interest; providing for the assessment of a portion of property within a working waterfront property which is not used as working waterfront property; requiring that a property appraiser make a list relating to applications to certify property as working waterfront property; providing an appeal process for an application that has been denied; amending s. 195.073, F.S.; providing for the classification of land as working waterfront property on an assessment roll; providing an alternate application deadline date for calendar year 2010; amending s. 380.5105, F.S.; providing program objectives for the Stan Mayfield Working Waterfronts Program and the Florida Forever program for purposes of selecting certain projects; deleting project selection criteria; providing for nonretroactive operation of certain provisions; providing for continuation of funded status for certain projects; providing emergency rulemaking authority for the Department of Revenue;

providing for severability; providing for retroactive operation; providing effective dates.

First reading by publication (Art. III, s. 7, Florida Constitution).

Reference

CS/CS/HB 501—Referred to the Calendar of the House.

CS/CS/HB 633—Referred to the Calendar of the House.

CS/CS/CS/HB 663—Referred to the Full Appropriations Council on Education & Economic Development.

CS/HB 853—Referred to the Criminal & Civil Justice Policy Council; Government Operations Appropriations Committee; and General Government Policy Council.

CS/HB 885—Referred to the Rules & Calendar Council.

CS/CS/HB 945—Referred to the Calendar of the House.

CS/CS/HB 963—Referred to the Economic Development & Community Affairs Policy Council.

CS/HB 1387—Referred to the Economic Development & Community Affairs Policy Council.

CS/CS/HB 1389—Referred to the Calendar of the House.

CS/CS/HB 1411—Referred to the Calendar of the House.

CS/HB 7205—Referred to the Calendar of the House.

HB 7215—Referred to the Economic Development & Community Affairs Policy Council.

House Resolutions Adopted by Publication

At the request of Rep. Renuart—

HR 9009—A resolution commending the osteopathic physicians of this state and designating April 14, 2010, as "Osteopathic Medicine Day" in the State of Florida.

WHEREAS, osteopathic physicians provide health care services that account for more than 59 million patient visits in this country each year, and

WHEREAS, this state has three accredited osteopathic hospitals, two osteopathic medical colleges, and the third largest osteopathic physician population in the United States, and

WHEREAS, osteopathic physicians provide comprehensive medical care, including preventive medicine, diagnoses, and the appropriate use of drugs, surgery, manipulation, and hospital referrals, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the House of Representatives commends the osteopathic physicians of this state for their contributions to the health and welfare of the residents of this state and designates April 14, 2010, as "Osteopathic Medicine Day" in the State of Florida.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. Steinberg—

HR 9033—A resolution recognizing February 2010 as Safe Haven for Newborns Month in Florida and commending the Gloria M. Silverio Foundation for its efforts on behalf of newborns.

WHEREAS, the Florida Legislature adopted legislation in 2000 establishing safe haven facilities where parents could anonymously place newborn infants, who might otherwise be abandoned, without fear of prosecution, and

WHEREAS, in memory of his wife, Gloria, Nick Silverio established "A Safe Haven For Newborns" in 2001, a project of the Gloria M. Silverio Foundation, in response to the tragedy of newborn abandonment in Florida, and

WHEREAS, the project that began in Miami has now spread through a grassroots effort to reach all 67 counties in Florida, partnering with the Florida Fire Chiefs Association, emergency medical services, hospitals, and other organizations and agencies in the state, to raise awareness and provide responses to mothers who ask where they might place their infants, and

WHEREAS, by establishing a multilingual referral help line that is constantly staffed with a network of volunteers and providing public service announcements and a publicly accessible website of information, "A Safe Haven for Newborns" has become the primary information resource in Florida alerting parents as to how they can anonymously and safely place their newborn infants, thereby saving lives, and

WHEREAS, since the inception of the safe haven law in 2000, at least 143 newborns have been placed in safe haven facilities, due in large measure to the leadership of the Gloria M. Silverio Foundation, and

WHEREAS, the Gloria M. Silverio Foundation, in creating "A Safe Haven for Newborns," has performed a unique service to communities in this state and provided vital leadership for others in our society who seek remediation to the tragedy of infant abandonment, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That February 2010 is recognized as "Safe Haven for Newborns Month" in Florida and the Gloria M. Silverio Foundation is commended for its efforts to protect newborns through safe haven facilities and support.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Nick E. Silverio of "A Safe Haven for Newborns" as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

At the request of Rep. N. Thompson—

HR 9079—A resolution recognizing the 2009-2010 Fort Myers High School Boys' Basketball Team, winners of the 2010 Florida High School Athletic Association Class 4A State Championship.

WHEREAS, with commitment, determination, and hard work, the 2009-2010 Fort Myers High School Boys' Basketball Team won the Florida High School Athletic Association Class 4A State Championship on March 6, 2010, at the Lakeland Center by beating the Oak Ridge High School team by a score of 59 to 57, and

WHEREAS, with a 28-5 record, the 2009-2010 Fort Myers High School Boys' Basketball Team became the first Southwest Florida team to claim a state boys' basketball title, and

WHEREAS, led by third-year Head Coach Scott Guttery and Assistant Coaches Jim Donmoyer, Kevin Hawk, Chris Mustaine, Dan Royal, and Chad Terrell, Fort Myers Green Wave teammates Brorick Barjon, Jeff Casseus, Josue Celestin, Reid Cunard, Robie Dickson, Garrison Free, Evin Graham, Lucas Guerin, Colin Henry, James Joseph, Terran McClendon, Tyler Manning, Stephen Muller, Matt Vance, and James Whitfield have consistently demonstrated outstanding skill, sportsmanship, and competitiveness throughout their remarkable season, and

WHEREAS, it is with great pride that the 2009-2010 Fort Myers High School Boys' Basketball Team is applauded for the historic accomplishments of its players and coaches and for the team's contributions to both student athletics and the community, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That Florida House of Representatives honors the 2009-2010 Fort Myers High School Boys' Basketball Team for their outstanding record and for winning the 2010 Florida High School Athletic Association Class 4A State Championship.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the 2009-2010 Fort Myers High School Boys' Basketball Team as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.16.

Reports of Standing Councils and Committees

Received April 12:

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 59

The above council substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 277

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 907

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

HB 1179

The above bill was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 1493

The above committee substitute was placed on the Calendar of the House.

The Criminal & Civil Justice Policy Council reported the following favorably:

HJR 1553

The above joint resolution was transmitted to the next council or committee of reference, the Rules & Calendar Council.

The Criminal & Civil Justice Policy Council reported the following favorably:

HB 7125

The above bill was placed on the Calendar of the House.

Received April 13:

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/HB 317

The above committee substitute was placed on the Calendar of the House.

The General Government Policy Council reported the following favorably:

CS/HB 501 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 501 was laid on the table.

The General Government Policy Council reported the following favorably:

CS/HB 691

The above committee substitute was placed on the Calendar of the House.

The General Government Policy Council reported the following favorably:

CS/CS/HB 713 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/CS/HB 713 was laid on the table.

The Criminal & Civil Justice Policy Council reported the following favorably:

CS/CS/HB 787

The above council substitute was placed on the Calendar of the House.

The General Government Policy Council reported the following favorably:

HB 885 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 885 was laid on the table.

The Full Appropriations Council on Education & Economic Development reported the following favorably:

CS/HB 1073 & HB 81 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, CS/HB 1073 & HB 81 were laid on the table. Refer to CS/CS for HB 1073 & HB 81.

The Health & Family Services Policy Council reported the following favorably:

HB 7083 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7083 was laid on the table.

The Full Appropriations Council on Education & Economic Development reported the following favorably:

HB 7127 with council substitute

The above council substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.20. Under the rule, HB 7127 was laid on the table.

Excused

Reps. Aubuchon, Bovo, Schultz, Schwartz, Zapata

Adjourned

Pursuant to the motion previously agreed to, the House adjourned at 1:55 p.m., to reconvene at 12:45 p.m., Thursday, April 15, 2010, or upon call of the Chair.

**Pages and Messengers
for the week of
April 12-16, 2010**

Pages—Anderson Brooks, Tampa; Edgar Carrero, Miami Lakes; Logan Hajdukiewicz, Tallahassee; Sara Henley, Tallahassee; Katherine Kincaid, Saint Johns; Anya Klumpp, Davie; Keandra Leeks, Tampa; Savanna McDonald, Tallahassee; Ronald Renuart, Jr., Ponte Vedra Beach; Daniel

Reyna, Pembroke Pines; Mindell Robinson, Live Oak; Broderick Schwinghammer, Miami Lakes.

Messengers—James Alver, Tampa; James Austin, Ponte Vedra Beach; Devero Bogart, DeFuniak Springs; Tiffany Chin, Parkland; Shaquille Gayle, Fort Lauderdale; Taylor Leckie, Apopka; Tyler Lee, Davie; Taylor Lee, Davie; Kathleen Lenz, Ocoee; Maxcimillion Lipkin, Vero Beach; Matthew Rosenfeld, Surfside; Elijah Salver, Bay Harbor Islands; Aaron Samples, Lakeland; Evan Schlossman, Weston; Jaquon Smith, Pompano Beach; Whitney Thomas, Grand Ridge; Wesley Thurmond, Crawfordville.

CHAMBER ACTIONS ON BILLS**Tuesday, April 13, 2010**

CS/CS/HB	69 — Substituted CS/CS/SB 350; Laid on Table, refer to CS/CS/SB 350	CS/HB	1101 — Read 2nd time
CS/HB	109 — Read 2nd time	CS/HB	1225 — Read 2nd time
CS/CS/HB	119 — Read 2nd time; Amendment 179435 adopted	CS/HB	1281 — Read 2nd time
CS/HB	143 — Read 2nd time	CS/HB	1291 — Read 2nd time
CS for CS for SB	350 — Substituted for CS/CS/HB 69; Read 2nd time	CS/HB	1537 — Read 2nd time; Amendment 585549 adopted; Amendment 826909 adopted; Amendment 553149 adopted; Amendment 780159 adopted
CS/HB	451 — Read 2nd time	CS/HB	7099 — Read 2nd time; Amendment 233931 adopted
CS/HB	569 — Read 2nd time; Amendment 904977 adopted	HB	7153 — Read 2nd time
CS/CS/HB	747 — Read 2nd time		

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